

09/786011

patent application serial no.

*Department of Commerce
Patent and Trademark Office
fee record*

03/05/2001 MNGUYEN 00000182 09786011

01 FC:971

430.00 DP

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

2727-133

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)

09/786011

INTERNATIONAL APPLICATION NO.

PCT/EP99/06453

INTERNATIONAL FILING DATE

2 September 1999 (02.09.99)

PRIORITY DATE CLAIMED

2 September 1998 (02.09.98)

TITLE OF INVENTION

"Oligonucleotides, Method and Kit for Detecting Listeria Monocytogenes by Nucleic Acid Amplification and/or Nucleic Acid Hybridization"

APPLICANT(S) FOR DO/EO/US

Pia Scheu, Alexander Gasch and Kornelia Berghof

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

Declaration by inventors (unsigned)

09786011-06453

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.51) 097786011		INTERNATIONAL APPLICATION NO. PCT/EP99/06453		ATTORNEY'S DOCKET NUMBER 2727-133	
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21. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$970.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$840.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$690.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$670.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS PTO USE ONLY <table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;">\$860.00</td> <td style="width:50%; border: none;"></td> </tr> </table>		\$860.00	
\$860.00							
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30				<table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;">\$0.00</td> <td style="width:50%; border: none;"></td> </tr> </table>		\$0.00	
\$0.00							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total claims	13 - 20 =	0	x \$18.00	\$0.00			
Independent claims	2 - 3 =	0	x \$78.00	\$0.00			
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				\$0.00			
TOTAL OF ABOVE CALCULATIONS =				\$860.00			
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input checked="" type="checkbox"/>				\$430.00			
SUBTOTAL =				\$430.00			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 +				\$0.00			
TOTAL NATIONAL FEE =				\$430.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				\$0.00			
TOTAL FEES ENCLOSED =				\$430.00			
				Amount to be:	\$		
				refunded	\$		
				charged	\$		

☒ A check in the amount of **\$430.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account in the amount of _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **501145** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Ronald R. Santucci
 Pitney, Hardin, Kipp & Szuch, LLP
 711 Third Avenue, 20th Floor
 New York, New York 10017

 (212)687-6000

SIGNATURE

 Ronald R. Santucci
 NAME

 28,988
 REGISTRATION NUMBER

 February 28, 2001
 DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. :

U.S. National Serial No. :

Filed :

PCT International Application No. : PCT/EP99/06453

VERIFICATION OF A TRANSLATION

I, Susan POTTS BA ACIS

Director to RWS Group plc, of Europa House, Marsham Way, Gerrards Cross, Buckinghamshire, England declare:

That the translator responsible for the attached translation is knowledgeable in the German language in which the below identified international application was filed, and that, to the best of RWS Group plc knowledge and belief, the English translation of the international application No. PCT/EP99/06453 is a true and complete translation of the above identified international application as filed.

I hereby declare that all the statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application issued thereon.

Date: February 21, 2001

Signature of Director :



For and on behalf of RWS Group plc

Post Office Address :

Europa House, Marsham Way,
Gerrards Cross, Buckinghamshire,
England.